

Notice of Allowability

Application No.

10/798,925

Examiner

Trinh T Nguyen

Applicant(s)

BREWINGTON, DANA

Art Unit

3644

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/11/04.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☒ The drawings filed on 11 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date Attached
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Michael J. Moore
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Krueger on 8/4/04.

The application has been amended as follows:

In the specification: after **line 35 of page 4**, insert the phrase

--Figure 8 is a side view of the absorbent garment with a closed snap closure.

Figure 9 is a side view of the absorbent garment with an open snap closure.

Figure 10 is a side view of a dog wearing the pet garment with a side opening.

Figure 11 shows component parts of the pet garment.

Figure 12 shows component parts of the pet garment.--;

in **lines 20-21**, replace "(shown in Figures 9 and 10)" with --(shown in Figures 8 and 9)--;

in **line 15**, replace "(shown in Figure 11)" with --(shown in Figure 10)--;

in **line 25**, replace "Figure 12" with --Figure 11--;

in **line 33**, replace "Figure 12" with --Figure 11--;

in **line 34**, replace "Figure 13" with --Figure 12--; and

in **line 35**, replace "Figure 13" with --Figure 12--;

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2. The following is an examiner's statement of reasons for allowance: the prior art of record does not teach or render obvious a motivation to provide a pet diaper garment having the combination of structural limitations such as claimed: **in claim 1**, the single strap section including perforations that allow the bib strap to be separated into two strap sections, the bib strap extending around the front of the animal and connecting with a top section of the absorbent garment with a reversible connector; **in claim 5**, a bib strap which is separable into two strap sections, the bib strap including a single strap section attached to the front section of the absorbent garment, the single strap section including perforations that allow the bib strap to be separated into two strap sections, the bib strap extending around the front of the animal and connecting with a top section of the absorbent garment wherein the absorbent garment having the side sections including a side opening; and **in claim 9**, a bib strap which is separable into two strap sections, the bib strap including a single strap section attached to the front section of the absorbent garment, the single strap section including perforations that allow the bib strap to be separated into two strap sections, the bib strap extending around the front of the animal and connecting with a top section of the absorbent garment wherein the absorbent garment having leg openings securable with a snap closure, these along with the rest of other limitations/features as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

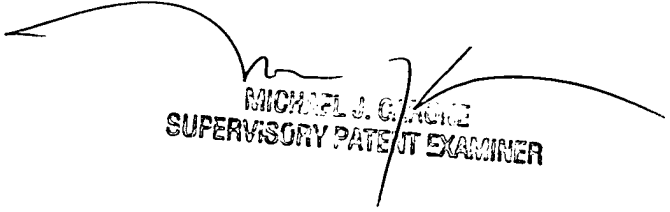
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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trinh T Nguyen whose telephone number is (703) 306-9082. The examiner can normally be reached on M-F (9:30 A.M to 6:00 P.M).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone can be reached on (703) 306-4198. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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8/6/04


MICHAEL J. CARONE
SUPERVISORY PATENT EXAMINER